# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/966,676

Confirmation No. 4988

Applicant Filed

Brendan Traw

TC/A.U.

9/28/2001 2623

Examiner

Son P. Huynh

Docket No.

042390.P11771

Customer No.

8791

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

### DECLARATION UNDER 37 C.F.R. § 1.131

### Dear Sir:

# I, Brendan Traw hereby declare that:

- I am the inventor of the subject matter claimed in the above-identified patent 1. application, which is assigned to Intel Corp.
- This declaration is to establish conception of the invention in the above-identified 2. patent application in the United States, at a date prior to June 15, 2001, the filing date of U.S. Patent No. 7,020,893, which was cited by the Examiner.
- We understand that the invention relates to the following: 3.

#### A. A method, comprising:

receiving meta-data broadcast by a server system, the meta-data including descriptions of a plurality of data files currently being broadcasted or to be broadcasted by the server system;

rating previously broadcasted data files based on meta-data associated with the broadcasted data files, respectively, in response to a content rating table, wherein the content rating table includes at least a rating value and a rating type for broadcasted data files, wherein the rating value is the combination of a relevance value and a believability factor, the relevance value corresponding to a likelihood that a user will want to watch the broadcasted data file based on the descriptions of the meta-data and the believability factor is a weighting factor corresponding to the accuracy of past relevance value determinations, and the rating type indicates whether the rating value was generated explicitly based upon prior explicit input from the user or implicitly generated without prior explicit input from the user;

storing previously broadcasted data files meeting a pre-determined ranking threshold in a storage device to create a plurality of stored data files;

comparing the rankings of the plurality of stored data files to determine a best stored data file;

rating currently broadcasted data files in response to the content rating table;

comparing the rankings of currently broadcasted data files to determine a best currently broadcasted data file;

selecting the best currently broadcasted data file or best stored data file with the highest ranking; and

displaying the selected best currently broadcasted or stored data file automatically on a personalized channel on a display device.

## B. An apparatus, comprising:

a processor having circuitry to execute instructions;

a communications interface coupled to the processor, the communications interface coupled to receive data files and meta-data from a server system; and

a storage device coupled to the processor, the storage device having sequences of instructions stored therein, which when executed by the processor cause the processor to:

rate previously broadcasted data files based on meta-data associated with the broadcasted data files, respectively, in response to a content rating table, wherein the content rating table includes at least a rating value and a rating type for broadcasted data files, wherein the rating value is the combination of a relevance value and a believability factor, the relevance value corresponding to a likelihood that a user will want to watch the broadcasted data file based on the descriptions of the meta-data and the believability factor is a weighting factor corresponding to the accuracy of past relevance value determinations, and the rating type indicates whether the rating value was generated explicitly based upon prior explicit input from the user or implicitly generated without prior explicit input from the user;

store previously broadcasted data files meeting a pre-determined ranking threshold in a storage device to create a plurality of stored data files;

compare the rankings of the plurality of stored data files to determine a best stored data file;

rate currently broadcasted data files in response to the content rating table;

compare the rankings of currently broadcasted data files to determine a best currently broadcasted data file;

select the best currently broadcasted data file or best stored data file with the highest ranking; and

display the selected best currently broadcasted or stored data file automatically on a personalized channel on a display device.

C. A machine-readable medium of a storage device having instructions tangibly stored thereon executed by a processor to cause the processor to:

receive meta-data broadcast by a server system, the meta-data including descriptions of a plurality of data files currently being broadcasted or to be broadcasted by the server system;

rate previously broadcasted data files based on meta-data associated with the broadcasted data files, respectively, in response to a content rating table, wherein the content rating table includes at least a rating value and a rating type for broadcasted data files, wherein the rating value is the combination of a relevance value and a believability factor, the relevance value

corresponding to a likelihood that a user will want to watch the broadcasted data file based on the descriptions of the meta-data and the believability factor is a weighting factor corresponding to the accuracy of past relevance value determinations, and the rating type indicates whether the rating value was generated explicitly based upon prior explicit input from the user or implicitly generated without prior explicit input from the user;

store previously broadcasted data files meeting a pre-determined ranking threshold in a

storage device to create a plurality of stored data files;

compare the rankings of the plurality of stored data files to determine a best stored data file:

rate currently broadcasted data files in response to the content rating table; compare the rankings of currently broadcasted data files to determine a best currently

broadcasted data file;

select the best currently broadcasted data file or best stored data file with the highest ranking; and

display the selected best currently broadcasted or stored data file automatically on a personalized channel on a display device.

- Prior to June 15, 2001, I completed an Invention Disclosure (Exhibit A) describing 4. the invention and submitted the invention disclosure to the legal department of Intel Corp.
- After receipt and review of the Invention Disclosure, the legal department of Intel 5. Corp. decided to proceed with the preparation of a patent application and requested that Blakely, Sokoloff, Taylor & Zafman LLP prepare and file a patent application on the subject matter set forth in Exhibit A.
- Thereafter, the above-identified patent application was prepared with due diligence 6. and filed on September 28, 2001.

We hereby declare that all statements made herein of my own knowledge are true and that the statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any natent issued thereon.

# **EXHIBIT A**

|                    |  | TUANE/INTERNIT/IAL/15<br>COMM.   |  |
|--------------------|--|--|--|
| your inventio      | n for possible filing as a pepartment at JF3-147. Y<br>formation is electronic, in | detailed information on this form. The information on this form. The information when completed and so ou can submit electronically via e-mail to including drawings and supervisor approver | signed, please return this form<br>"invention disclosure submiss   |
| 1. Inventor:       | Traw   | Brendan  |  |
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MAR 2 3 2001 PATENT DATABASE GROUP INTEL LEGAL TEAM 2. Title of Invention: Method for automatic, user conditioned, selection of television and movie content

3. What technology/product/process (code name) does it relate to (be specific if you can):

4. Include several key words to describe the technology area of the invention in addition to # 3 above: Video, Movie, Relevance Engine

5. Stage of development (i.e. % complete, simulations done, test chips if any, etc.): \_\_0%

6. (a) Has a description of your invention been, or will it shortly be, published outside Intel:

NO: \_\_\_X \_\_\_ YES: \_\_\_\_\_\_ If YES, was the manuscript submitted for pre-publication approval? \_\_\_\_\_\_

IDENTIFY THE PUBLICATION AND THE DATE PUBLISHED:

YES: X DATE WAS OR WILL BE SOLD: TBD

(b) Has your invention been used/sold or planned to be used/sold by Intel or others?

|  | c) Does this invention relate to technology that is or will be covered by a SIG (special interest group)/standard/<br>or specification? |  |  |  |  |
|--|---|--|--|--|--|
|  | NO: X YES: Name of SIG/Standard/S   | pecification:  |  |  |  |
|  | (d) If the invention is embodied in a semiconductor device, actual  | or anticipated date of tapeout? N/A  |  |  |  |
|  | (e) If the invention is software, actual or anticipated date of any b   | eta tests outside Intel <u>N/A</u>   |  |  |  |
| 7. Was the invention conceived or constructed in collaboration with anyone other than an Intel blue badge employed or in performance of a project involving entities other than Intel, e.g. government, other companies, universities or consortia? NO: X YES: Name of individual or entity: |   |  |  |  |  |
| 3.   | 3. Is this invention related to any other invention disclosure that you have  | this invention related to any other invention disclosure that you have recently submitted? If so, please give the title and entors: No |  |  |  |

1. Describe in detail what the components of the invention are and how the invention works.

My Channel (MC) is a method for delivering TV channel style content to a television that is automatically personalized and "broadcast" based on a end-user profile and viewing habits. This enables a passive television viewing experience for the end user or "couch potato." The viewer only needs to turn to the "My Channel" channel to view this personalized "channel" synthesized from all of the content sources available to the user.

The main components of the invention are:

- (a) RE, (Relevance engine)
- (b) EPG, (Electronic Program Guide)
- (c) EPI, (Extended Program Information signal)
- (d) Content Cache

Content comes in from cable, DBS, ATSC, etc. into the system. Through the use of the EPG and if available EPI, the RE determines if the content should be viewed immediately, cached for later viewing or discarded. This decision is based on the relevance to a particular user profile and historical usage log of the particular content entering the system and if the channel is currently being viewed. The RE prioritizes the order in which the content is viewed by the end user profile.

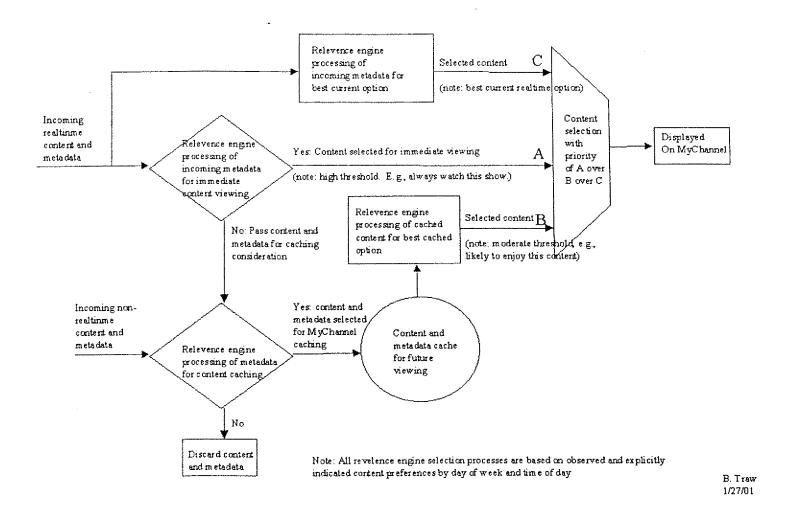
Content is selected from all available channels and sources.. The relevance engine choose the content to be display based on the user's preferences, time of day, and availability of live and cached content. The channel does not play cached content if the service isn't being utilized but may delete cached content based on size, relevance based on time, e.g. news vs movies, etc.

2. Describe advantage(s) of your invention over what is done now.

Television and movies today are delivered and scheduled via network and content aggregators. Content is delivered in a manner that has the broadest appeal. New technologies such as TIVO or replay boxes cache content for viewing in any order and time you want. This invention combines the broadcaster and Tivo models and further refines them by acting as a virtual broadcaster. It "broadcasts" a stream of television and movie content that is tailored to the individual's taste from live and captured content with no user interaction required.

YOU MUST include at least one figure illustrating the invention.
 If the invention relates to software, include a flowchart or pseudo-code representation of the algorithm.

# Conceptual MyChannel Operation



### 4. Value of your invention to Intel (how will it be used?).

Any Intel business that delivers content to an end user product can benefit from this invention. BCS, Broadcast Content Services is a near video on demand delivery service that would be able to offer this invention for an additional charge of their video delivery service.

# 5. Explain how your invention is novel. If the technology itself is not new, explain what makes it different.

Current implementations of video cache services and core interest channels, e.g. the Cartoon network, deliver compelling entertainment content targeted at specific interest groups. This invention combines the best of these two methods with a relevance engine that determines the best content to be displayed automatically based on users past viewing history and other user supplied information. No user selection is involved other then "tuning" into that MyChannel. Additionally the type of advertisements can also be individually tailored to target the users likes.

### 6. Identify the closest or most pertinent prior art that you are aware of.

ACM August 20000/Vol43 No.8 PG 107-111

# 7. Who is likely to want to use this invention or infringe the patent if one is obtained and how would infringement be detected?

Terrestrial broadcasters, MSOs, (Cable providers), Digital Broadcast Satellite providers, Internet service providers all could utilize this invention to enhance their current video delivery services.

Rev. 15, 8/00

# HAVE YOUR SUPERVISOR READ, DATE AND SIGN COMPLETED FORM OR FORWARD IT ELECTRONICALLY VIA E-MAIL TO "INVENTION DISCLOSURE SUBMISSION"

| DATE: | SUPERVISOR: | · |
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BY THIS SIGNING, I (SUPERVISOR) ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS DISCLOSURE, AND RECOMMEND THAT THE HONORARIUM BE PAID